

REMARKS / DISCUSSION OF ISSUES

Claims 1-26 are pending in the Application. Claims 1, 11 and 16 are independent claims. Claims 22-26 are added by this amendment.

In the Office Action, claim 12 is objected to because it is alleged that there is no antecedence basis for the term "the created vortex". This objection is respectfully traversed. It is respectfully submitted that claim 11 provides "creating a vortex" which is proper antecedence for the term "the created vortex". Accordingly, withdrawal of the objection to claim 11 is respectfully requested.

In the Office Action, claims 1-9 and 11-20 are rejected over U.S. Patent Publication No. 2002/0141188 to Basey ("Basey") in view of U.S. Patent No. 6,227,686 to Takahashi ("Takahashi"). Claim 10 is rejected over Basey and Takahashi in further view of U.S. Patent Publication No. 2001/0030865 to Glowach ("Glowach"). Claim 21 is rejected over Basey and Takahashi in further view of U.S. Patent No. 5,626,416 to Romano ("Romano"). These rejections of claims 1-21 are respectfully traversed. It is respectfully submitted that claims 1-26 are allowable over Basey in view of Takahashi alone and in further view of Glowach and Romano for at least the following reasons.

The Office Action on page 6, in a Response to Arguments section has taken a position that "each air guide conduit [of Basey] does in fact cover a substantially length of the upper rim of the reflector (1 2), so as broadly as claim 1 is worded, Basey reads on this element." This position is respectfully traversed. In Basey, "the vanes 28 are configured to have the same height as the upper and lower lips 24, 26

so that they actually extend into the interior of the reflector 12." (See, Basey, FIG. 4 and the accompanying description contained in paragraph [0022].)

Accordingly, it is respectfully maintained that reliance on Basey for this feature is misplaced. While the vane 28 extends from the reflector, even the vane tip does not extend around the reflector as recited in claim 1. While the Advisory Action of July 9, 2008 referred to an outer curved lip of the veins, apparently the Office Action has withdrawn from this untenable position that found no support in Basey. Clearly in Basey, the veins extend through the reflector and do not extend for a substantial length in a direction around the upper rim of the reflector as recited in claim 1.

The Office Action further argues that "[a]s is clearly shown in Fig. 4 [of Basey], the air is already being curved into a vortex before it is introduced into the reflector." While it is true that air flows 42, 44 show some slight curvature along the veins 28, in Basey, the veins also are the opening into the upper flange 20. It is respectfully submitted that a person of ordinary skill in the art would readily appreciate that Basey does not create a vortex and introduce the created vortex into the opening as substantially recited in claims 11 and 16. The slight curvature of airflow around the veins 28 created by Basey is not a vortex. Further, in Basey, the slight curvature of airflow is created in the opening so clearly, Basey does not show creating a vortex and introducing the created vortex into the opening.

The Office Action further argues that "Basey further teaches the cooling means (paragraph 12) for creating a vortex and introduces the created vortex tangentially into the opening such that the created vortex travels down the concave reflective surface of the reflector (Fig. 4)." (See, Office Action, page 4, referring to

claim 11.) This position is respectfully refuted. While in Basey, the airflow is introduced along the air conducting walls of the veins 28, clearly in Basey, the airflow is not introduced tangentially with reference to the air conducting walls that extend for a substantial length in a direction around the upper rim of the reflector.

Romano shows an elliptical reflector 18 surrounded by a heat sink 20 and a reflector 24 (see, FIG. 2). However as clear from Romano, the airflow is introduced directly into the reflector 18 although some airflow is diverted around the reflector 18.

Accordingly, it is respectfully submitted that the lamp assembly of claim 1 is not anticipated or made obvious by the teachings of Basey in view of Takahashi. For example, Basey in view of Takahashi does not disclose or suggest, a lamp assembly that amongst other patentable elements, comprises (illustrative emphasis provided) "an air guide conduit having air conducting walls that extend for a substantial length in a direction around the upper rim of the reflector, the air guide conduit having an air inlet and having an air outlet into the opening of the reflector; and a blower operatively connected to the air inlet of the air guide conduit, wherein the blower introduces air into the air inlet tangentially with reference to the air conducting walls" as recited in claim 1. Clearly the vanes of Basey do not extend for any substantial length in a direction around the upper rim of the reflector and Basey does not introduce air into the air inlet tangentially with reference to the air conducting walls. Each of Takahashi, Glowach and Romano are introduced for allegedly showing other elements of the claims and as such, do nothing to cure the deficiencies in Basey.

It further is respectfully submitted that the lamp assembly of claim 11 is not anticipated or made obvious by the teachings of Basey in view of Takahashi. For

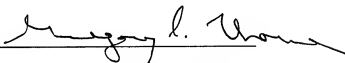
example, Basey in view of Takahashi does not disclose or suggest, a lamp apparatus that amongst other patentable elements, comprises (illustrative emphasis provided) "cooling means for creating a vortex and introducing the created vortex into the opening such that the created vortex travels down the concave reflective surface of the reflector " as recited in claim 11 and as similarly recited in claim 16. Clearly in FIG. 4, Basey merely shows a slight curvature of airflow at the opening around the veins and can not be said to create a vortex and thereafter, introduce the created vortex into the opening.

Based on the foregoing, the Applicants respectfully submit that independent claims 1, 11 and 16 are patentable over Basey in view of Takahashi and notice to this effect is earnestly solicited. Claims 2-10, 12-15 and 17-26 respectively depend from one of claims 1, 11 and 16 and accordingly are allowable for at least this reason as well as for the separately patentable elements contained in each of the claims. Accordingly, separate consideration of each of the dependent claims is respectfully requested.

In addition, Applicants deny any statement, position or averment of the Examiner that is not specifically addressed by the foregoing argument and response. Any rejections and/or points of argument not addressed would appear to be moot in view of the presented remarks. However, the Applicants reserve the right to submit further arguments in support of the above stated position, should that become necessary. No arguments are waived and none of the Examiner's statements are conceded.

In view of the foregoing, Applicants respectfully request that the Examiner withdraw the objections and/or rejections of record, allow all the pending claims, and find the application in condition for allowance. If any points remain in issue that may best be resolved through a personal or telephonic interview, the Examiner is respectfully requested to contact the undersigned at the telephone number listed below.

Respectfully submitted,

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